

Amendment and Response under 7 C.F.R. 1.116

Applicant: Daniel R. Marshall

Serial No.: 09/759,867

Filed: January 12, 2001

Docket No.: 10002307-1

Title: PORTABLE INFORMATION STORAGE MODULE FOR INFORMATION SHOPPING

Treyz does not teach, disclose, or suggest a portable storage module having a memory component sized approximately one square millimeter and capable of storing gigabytes of data. Therefore, independent claims 30 and 34 are no longer anticipated by Treyz. Applicant respectfully requests that the rejection of claims 30 and 34 under 35 U.S.C. §102(e) be withdrawn.

35 U.S.C. §103 Rejections

On pages 5-13 of the Office Action, the Examiner rejected claims 1-8 and 11-29 under 35 U.S.C. §103(a) as being unpatentable over Treyz and Gibson. The Examiner indicated that Treyz teaches each limitation of claims 1-8 and 11-29 other than an atomic resolution storage memory component and its associated subcomponents. The Examiner further indicated Gibson discloses an atomic resolution storage memory component and its associated subcomponents.

With this Amendment, independent claims 1, 15, and 29 have been amended such that each claim includes a portable storage module including a memory component sized approximately one square millimeter and capable of storing gigabytes of data. Support is found for this language in the specification at page 5, lines 7-15. Neither Treyz nor Gibson disclose a portable storage module including a memory component sized approximately one square millimeter and capable of storing gigabytes of data. In particular, Treyz is silent with respect to ultra-high density storage components. While Gibson does teach an ultra-high storage memory device, Gibson is silent as to the sub-miniature sizing of such a device. Gibson does not teach, disclose, or suggest the ability to contain an ultra-high storage memory device within the claimed spatial limitations.

On pages 13-14 of the Office Action, the Examiner rejected claims 9, 10, 31-33, and 35-37 under 35 U.S.C. §103(a) as being unpatentable over Treyz and Gibson, and further in view of Gioscia. Claims 9, 10, 31-33, and 35-37 are all dependent claims, depending from either independent claim 1, 15, 30, or 34. As previously discussed, it is believed that all independent claims are patentably distinguishable over the cited prior art. Therefore, it is also believed that all dependent claims are patentably distinguishable over the prior art.

For the foregoing reasons, it is believed that pending claims 1-37 are patentably distinguishable over the prior art. Therefore, Applicant respectfully requests that the rejection of claims 1-29, 31-33, and 35-37 under 35 U.S.C. §103(a) be withdrawn.

Amendment and Response under 37 C.F.R. 1.116

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CONCLUSION

In light of the above, Applicant believes independent claims 1, 15, 29, 30, and 34, and the claims depending therefrom, are in condition for allowance. Allowance of these claims is respectfully requested.

The Examiner is invited to contact the Applicant's representative at the below-listed telephone number to facilitate prosecution of this application.

No fees are required under 37 C.F.R. 1.16(b)(c). However, if such fees are required, the Patent Office is hereby authorized to charge Deposit Account No. 08-2025.

Any inquiry regarding this Amendment and Response should be directed to either Michael R. Binzak at Telephone No. (612) 573-0427, Facsimile No. (612) 573-2005 or Philip S. Lyren at Telephone No. (281) 514-8236, Facsimile No. (281) 514-8332. In addition, all correspondence should continue to be directed to the following address:

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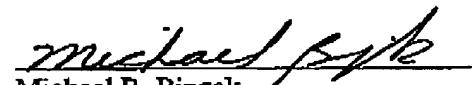
Respectfully submitted,

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